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Paper No. 10

In re Application of
Edward John Giblin *et al*
Application No. 09/686,325
Filed: October 11, 2000
Attorney Docket No. C6583(C)

Director's Office
Group 3700
: DECISION ON PETITION
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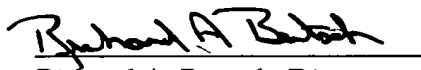
This is a decision on the petition filed by on May 9, 2002, as resubmitted on March 25, 2004. The petition is being treated as a petition under 37 CFR 1.181 to withdraw the holding that this application stands abandoned for failure to file a timely and proper reply to the Office letter dated May 23, 2001.. No fee is required for the petition.

The petition is granted.

Petitioners allege that this application is not abandoned because petitioners did in fact file a timely reply to the Office letter in question. Specifically, petitioners allege that a reply and a request for a two month extension of time were in fact filed. These papers have been located, and are present in the application file, having a filing date of January 4, 2002, but also having a 37 CFR 1.8(a) certificate of mailing date of October 23, 2001, a date within the period set for filing a reply to the May 23, 2001 Office letter, as extended. Office financial records confirm that the extension fee has been paid.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the Head Supervisory Applications examiner for entry of the amendment and petition for extension of time filed on January 4, 2002, certificate of mailing date October 23, 2001. Thereafter, the application will be forwarded to the examiner for immediate action.

PETITION GRANTED.


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